

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-10 and 12-72 are presently active in this case, Claims 12-71 previously withdrawn from consideration, and Claim 72 added by way of the present amendment.

In the outstanding Office Action, Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,669,748 to Knudsen, Jr. in view of JP 11-348055A to Aria et al.; Claims 1-7 and 9-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,516,242 to Brown in view of Aria et al.; Claims 1, 3-6, and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,401,078 to Roberts et al. in view of Aria et al.

Turning now to the merits, Applicants' invention is directed to a method and system for delivering and collecting an article delivery-and-collection package used for packing, storing or delivering articles. As described in the Background of the Invention section of the present application, durable reusable racks have recently come into use for delivering new products and collecting old products from a delivery site. However, with the large volume replacement of electronic equipment such as copiers, management of the reusable racks has become difficult. For example, there are many cases where a new product of a copier is delivered to a customer and at the same time the old product, already owned by the customer but having a different shape than the new product, is collected at the customer site. Thus, the rack used for delivering the new product cannot be used for collecting the old product and two separate racks must be brought to the customer's site. This makes delivery difficult and less efficient. Applicants' invention is directed to addressing this problem.

Specifically, Applicants' independent Claim 1 recites:

Claim 1 (Currently Amended): A system for delivering and collecting an article delivery-and-collection package used for packing, storing or

delivering articles, the article delivery-and-collection package being assembled from a plurality of package components stocked at a management center, and repeatedly used for packing storing or delivering articles, said system comprising:

the article delivery-and-collection package configured to be assembled as a first delivery-and-collection package for packing a first article to be delivered and configured to be reassembled as a second delivery-and-collection package for packing a second article to be collected after delivery of the first article, the second article having a different height from that of the first article, the first delivery-and-collection package including a pallet, a plurality of first supports detachably fitted to the pallet, and a top covering the plurality of first supports, and the second delivery-and-collection package including the pallet, a plurality of second supports having different height from that of the first supports, and the top;

a specification unit configured to specify a plurality of first package components required to assemble the first delivery-and-collection package for delivering the first article to a delivery site, and second package components that are not required to assemble said first delivery-and-collection package yet required to assemble the second delivery-and-collection package for collecting the second article from said delivery site, the first package components including the plurality of first supports, and the second package components including the plurality of second supports; and

an instruction unit configured to provide instructions for a delivery procedure for said first article and a collection procedure for said second article, said instructions including directions for assembling said second delivery-and-collection package using at least one of said first package components, along with said second package components specified by said specification unit.

Thus, the system of Claim 1 includes an article delivery-and-collection package that can be assembled as a first package for delivering a first article, and a second package for collecting a different height article. Further, the claimed system includes a specification unit that specifies package components required to assemble the first and second packages, and an instruction unit that provides directions for assembling the first and second packages.

Applicants first note that the Remarks of the November 16, 2006 amendment *explained in detail* why the cited column 4, lines 14-30 and column 9, line 29 - column 10, line 13 of Knudsen, Jr. do not teach the claimed specification unit of Claim 1, and why cited column 12, lines 6 to 45 of Knudsen, Jr. do not teach the instruction unit features of Claim 1. Applicants' Remarks further *explained in detail* why cited column 5, lines 40 to 59 of Brown do not teach the claimed specification unit, and why cited column 5, line 60 - column 8, line

35 Brown do not teach the claimed instruction unit. Still further, Applicants' Remarks *explained in detail* why cited column 12, line 40 - column 13, line 17 and column 3, line 49 - column 4, line 6 of Roberts do not teach the specification unit or the instruction unit. Finally, Applicants' Remarks *explained in detail* why cited paragraph 47 of Arai does not teach the article delivery and collection package configured to be assembled as a first package for packing a first article to be delivered and configured to be reassembled, and that paragraph 112 of Arai discloses the second article being of different height than the first.

Moreover, the November 16<sup>th</sup> remarks requested that any forthcoming action provide at least a general explanation of how the prior art references can be read to teach the claimed article and delivery collection package, specification unit and instruction unit as recited in Claim 1. Despite Applicants' detailed explanation and request, the outstanding Office Action once again repeats its previous rejection essentially verbatim, without any response to Applicant's detailed distinction of claim language from the cited portion of the prior art. Applicants again request that any forthcoming Office Action respond to Applicants' Arguments noted above and presented in detail in the November 16<sup>th</sup> amendment.

The November 16<sup>th</sup> Amendment also presented new claim limitations to independent Claim 1 to further emphasize that the article delivery-and-collection package is configured to be assembled as a first delivery-and-collection package for packing a first article to be delivered and configured to be reassembled as a second delivery-and-collection package for packing a second article to be collected after delivery of the first article, the second article having a different height from that of the first article. As explained throughout prosecution, none of the cited references disclose this claimed feature of the invention.

Nevertheless, in an effort to advance prosecution in this case, Claim 1 was further amended to recite that *the first delivery and collection package includes a pallet, a plurality of first supports detachably fitted to the pallet, and a top covering the plurality of first*

*supports, and the second delivery and collection package includes the pallet, a plurality of second supports having a different height from that of the first supports, and the top. Also recited is that the first package components include the plurality of first supports, and the second package components include the plurality of second supports.* Thus, Claim 1 requires that the first and second delivery and collection packages include common parts (i.e., the pallet and top), but have different supports of different heights (i.e., first and second supports) to accommodate different height articles to be packed.

The outstanding Office Action responds to this amendment by stating:

“...the first delivery package including a pallet, a plurality of supports fitted to the pallet and a top (31 ¶ 25, 26) (fig 20) [of Aria et al.], the second delivery package including a plurality of second supports (claim 5, ¶ 10) [of Aria et al.]...

**... Response to Amendments/Arguments...**

Aria et al. discloses all of the newly claimed elements a pallet, first and second structural elements, and a top as newly claimed”

Thus, the outstanding Office Action does not fully address the added features of the claim.

Specifically, the Office Action does not even mention the limitation that the second supports have a different height from the first supports. As noted above, this feature emphasizes that the first and second supports can be interchanged with a common pallet and top to provide different sized delivery packages for different height articles to be shipped. The cited references to Knudsen et al., Aria et al., Brown and Roberts et al. do not show this feature.

Further, the Office Action does not address the fact that the pallet and top are common to the first and second delivery and collection packages, these packages having only different supports of different heights, which advantageously allows the delivery and collection packages to be assembled with fewer number of parts overall. In this regard, the Office Action cites Claim 5 and ¶ 10 of Aria et al. as teaching the second support (without

mentioning different heights). However, these portions of Aria et al. are directed to and describe the interconnection of parts for a single carrying device. There is no discussion in these cited portions of second supports that use the same pallet and top as the first supports. Aria et al. simply does not discuss the use of different height supports with a common pallet and top in order to provide different height carrying packages for different height articles. At best, the figures of Aria et al. describe adjustability of the carrying device in a width direction, and not in a height direction with respect to the pallet and top.

Thus, in addition to the prior art deficiencies noted above and not addressed in the Office Action, Applicants' submit that the cited reference to Aria et al. also does not disclose that "the first delivery and collection package includes a pallet, a plurality of first supports detachably fitted to the pallet, and a top covering the plurality of first supports, and the second delivery and collection package includes the pallet, a plurality of second supports having a different height from that of the first supports, and the top," or "that the first package components include the plurality of first supports, and the second package components include the plurality of second supports" as required by Claim 1. Thus, Claim 1, and claims 2-10 depending therefrom, patentably define over the cited references.

Moreover, Applicants have added Claim 72 to further clarify the patentable features of the present invention over the cited references. Specifically, the invention newly defined in Claim 72 recites that the specification unit specifies a first article to deliver to a delivery site, specifies a constitution of a first delivery-and-collection package for packing the first article including a pallet, top, and a plurality of first supports, specifies a second article to be collected from the delivery site, and specifies a constitution of a second delivery-and-collection package for packing the second article including the pallet, the top, and a plurality of second supports having different heights from the first supports. Also recited is that the

instruction unit instructs to deliver only the second supports at a same time when the first delivery-and-collection package is delivered to the delivery site.

By only delivering the second supports at the same time as delivering the first article, it is possible to assemble the second delivery-and-collection package for collecting the second article at the delivery site. Thus, the invention as claimed in Claim 72 can offer an efficient system for delivering and collecting articles as well as an efficient system for delivering and collecting an article delivery-and-collection package. As noted above, the cited prior art simply does not disclose this feature. Therefore, Claim 72 also patentably defines over the cited references.

Consequently, in view of the present response, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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